Amendments to the Claims:

A listing of the entire set of pending claims (including amendments to the claims, if any) is submitted herewith per 37 CFR 1.121. This listing of claims will replace all prior versions, and listings, of claims in the application.

Listing of Claims:

1. (Previously Presented) A data carrier with at least one data recording area in which data recording area data are stored in accordance with a predefined data recording standard,

wherein the data carrier is manufactured to include at least one defective area designed to be embedded on the data carrier as one of a ring-shaped defective area or a sector-shaped defective area,

which defective area is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard, as well as with at least one defect localization area containing position information about the position of the at least one defective area on the data carrier,

wherein the at least one defective area is in conflict with the at least one parameter of the predefined data recording standard in such a way that the conflict cannot be rectified by standard-compliant error-correction measures in accordance with the data recording standard,

wherein a defect localization area is physically located before each defective area and provides information about the nature and position of the subsequent defective area, and

wherein the defective area is provided for data access protection.

2. (Previously Presented) A data carrier as claimed in claim 1, wherein the parameter of the data recording standard with which parameter the defective area comes into conflict defines a physical parameter of the data carrier.

3. (Previously Presented) A data carrier as claimed in claim 1, wherein the parameter of the data recording standard with which parameter the defective area comes into conflict is a logical parameter of the data recording standard.

4. (Cancelled)

5. (Previously Presented) A data carrier as claimed in claim 1, wherein in relation to data scanning means, the defect localization area is located before the data recording area.

6. (Previously Presented) A data carrier as claimed in claim 1, wherein in relation to data scanning means, there is a defect localization area located before each defective area.

7. (Previously Presented) A data carrier as claimed in claim 1, wherein at least one defective area contains identification information.

8. (Previously Presented) A data carrier as claimed in claim 7, wherein the identification information comprises one or more of the following items, namely a serial number, a personal identification number, a finger print and a digital file, such as an image file.

9. (Previously Presented) A data carrier as claimed in claim 1, wherein the position information about the position of the at least one defective area on the data carrier comprises a start position information and on end position information of each of the defective areas along a data track in the data recording area.

10. (Previously Presented) A data carrier as claimed in claim 1, which is an optical data carrier.

11. (Currently Amended) A data playback method of providing data access protection when reading data from a data carrier stored in a data recording area of the data carrier, including at least one defect localization area on the data carrier ~~by scanning the data carrier with scanning means (10)~~ the method comprising,

physically locating the at least one defect localization area before each identified defect area on the data carrier, the at least one defect localization area containing information about the nature and position of at least one defective area on the data carrier,

detecting position information about the position of the at least one defective area on the data carrier,

switching between a standard data playback mode for the purpose of reading the data from the data recording area and a defective area control mode for the purpose of reading the position information about the position of the at least one defective area from the at least one defect localization area, said switching being dependent upon the detected position information about the position of the defective areas;

~~wherein the data are stored in a data recording area (2, 6) of the data carrier in accordance with a predefined data recording standard,~~

wherein the defective area is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard, as well as with at least one defect localization area containing position information about the position of the at least one defective area on the data carrier, wherein the conflict can preferably not be rectified by standard-compliant error-correction measures in accordance with the data recording standard

~~wherein at least one defective area (3, 7) is embedded in the data recording area, which defective area (3, 7) is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard,~~

~~wherein the conflict can preferably not be rectified by standard-compliant error-correction measures in accordance with the data recording standard, and~~

~~wherein the data carrier has at least one defect localization area containing position information about the position of the at least one defective area on the data carrier,~~

~~the defect localization area comprising:~~

~~the localization of at least one defective area on the data carrier by reading the position information from the defect localization area,~~

~~reading the data from the data recording area when the scanning means (10) scan the data recording area conforming to the standard,~~

~~moving the scanning means to a data reading position adjacent to a defective area in the data recording area if the scanning means are in a defective area~~.

12. (Previously Presented) A data playback method as claimed in claim 11, wherein moving the scanning means via a defective area comprises switching the scanning means to a non-standard scanning mode in which the scanning means receive signals from the defective area which do not conform to the data recording standard.

13. (Previously Presented) A data playback method as claimed in claim 11, wherein in relation to the scanning means, the defect localization area is located before the data recording area.

14. (Previously Presented) A data playback method as claimed in claim 11, wherein, in relation to the scanning means, there is a defect localization area located before each defective area.

15. (Previously Presented) A data playback method as claimed in claim 12, wherein the signals received by the scanning means from the defective area contain identification information.

16. (Previously Presented) A data playback method as claimed in claim 15, wherein the identification information comprises one or more of the following items, namely a serial number, a personal identification number, a finger print and a digital file, such as an image file.

17. (Previously Presented) A data playback method as claimed in claim 11, wherein the position information about the position of the at least one defective area on the

data carrier comprises a start position information and an end position information of each of the defective areas along a data track in the data recording area, and moving of the scanning means is controlled on the basis of this position information.

18. (Currently Amended) A data playback device for providing data access protection when [[for]] reading data from a data carrier ~~(1, 5)~~, wherein the data are stored in a data recording area of the data carrier in accordance with a predefined data recording standard, the device including:

switching means configured to:

detect position information about the position of defective areas on the data carrier from a defect localization area on the data carrier, and

switch a scanning control means between a standard data playback mode for the purpose of reading the data from the data recording area and a defective area control mode for reading the position information about the position of the defective area from the defect localization area, depending on the detected position information;

~~wherein the data carrier is manufactured to include at least one defective area designed to be embedded on the data carrier as one of a ring-shaped defective area or a sector-shaped defective area,~~

wherein the defect localization areas are physically located before each defective area and provide information about the nature and position of the defective areas,~~which defective area is~~

wherein each defective area is designed in such a way that it comes into conflict with at least one parameter of the predefined data recording standard, as well as with at least one defect localization area containing position information about the position of the at least one defective area on the data carrier, in such a way that the conflict cannot be rectified by standard-compliant error-correction measures in accordance with the data recording standard

~~wherein the conflict can preferably not be rectified by standard-compliant error-correction measures in accordance with the data recording standard, and~~

~~wherein the data carrier has at least one defect localization area (4, 8) containing position information about the position of the at least one defective area (3, 7) on~~

~~the data carrier comprising:~~

~~scanning means for scanning the data carrier for the purpose of reading the data from the data recording area and of reading the position information about the position of the defective area from the defect localization area,~~

~~scanning control means for controlling the scanning means,~~

~~switching means for switching the scanning means and/or the scanning control means between a standard data playback mode and a defective area control mode, depending on the position information about the position of the defective area~~.

19. (Previously Presented) A data playback device as claimed in claim 18, wherein the scanning means are designed to enable reading of identification information from the defective area in the defective area control mode.

20. (Previously Presented) A data playback device as claimed in claim 19, wherein comparing means for comparing the identification information with default values are provided.

21. (Previously Presented) A data playback device as claimed in claim 20, wherein the comparing means are designed to prevent reading of the data from the data carrier if the identification information does not match the default values.